

**STATE OF HAWAII
DEPARTMENT OF HEALTH
SOLID AND HAZARDOUS WASTE BRANCH**

**NOTICE OF PUBLIC HEARING
(DOCKET NO. SWM-3-05)**

Pursuant to Sections 91-3 and 342G-109, Hawaii Revised Statutes ("HRS"), notice is hereby given that the Department of Health will hold public hearings to consider the proposed adoption of Chapter 11-282, Hawaii Administrative Rules ("HAR"), "Deposit Beverage Container Recycling."

The purpose of these administrative rules is to implement the deposit beverage container program, Chapter 342G, Part VIII, HRS. These rules will be applicable to all persons defined in this chapter who are subject to regulation under the deposit beverage container program, including but not limited to beverage manufacturers, distributors, recycling facilities, redemption centers, dealers and other businesses that sell deposit beverages in deposit beverage containers, unless specifically stated otherwise.

The administrative rules provide:

- Department of Health ("DOH") with inspection and enforcement authority;
- Requirements for labeling deposit beverage containers;
- Exemptions for dealers from having to operate as a redemption center;
- Requirements for certification of redemption centers;
- Requirements for recycling facilities that accept and process deposit containers;
- Requirements on determining a method for the segregated rate; and
- Ability for DOH to establish redemption centers

Public Hearings will be held on the following dates and at the locations noted:

Wednesday, April 13, 2005, at 6:00 p.m.
Aupuni Center, Conference Room
25 Aupuni Street, Hilo, Hawaii

Thursday, April 14, 2005 at 6:00 p.m.
King Kamehameha's Kona Beach Hotel, Islander Room
75-5660 Palani Road, Kailua-Kona, Hawaii

Tuesday, April 19, 2005 at 6:00 p.m.
Washington Intermediate School Cafeteria
1633 South King Street, Honolulu, Hawaii

Wednesday, April 20, 2005 at 6:00 p.m.
Kauai War Memorial Convention Hall, Kauai Board Room
4191 Hardy Street, Lihue, Kauai

Thursday, April 21, 2005 at 6:00 p.m.
Lihikai Elementary School Cafeteria
335 South Papa Avenue, Kahului, Maui

All interested persons are invited to attend the hearings and to state their views relative to the adoption of the proposed rules either orally or in writing. Interested persons may submit data, views or comments orally or in writing on the proposed rules to the Hawaii State Department of Health, Solid and Hazardous Waste Branch (SHWB) prior to or at the time of hearing. All written and oral submissions regarding the proposed rules shall be fully considered. Comments or testimony will be restricted solely to the proposed rules and not the benefits/disadvantages on the underlying program. Persons wishing to submit written testimony are strongly encouraged to submit six copies of their testimony to the Solid and Hazardous Waste Branch, P.O. Box 3378, Honolulu, HI 96801-3378 or faxed to (808) 586-7509 or by email to jvalera@eha.health.state.hi.us by 4:30 p.m., April 21, 2005.

A copy of the proposed rules will be mailed to any interested person who requests a copy and pays the SHWB a required fee of \$1.70 for the copy and postage. If you would like to pick up a copy of the rules you may do so by paying \$1.10 to SHWB between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays. Please make checks payable to: State of Hawaii, Department of Health. Contact information for copy requests is as follows:

Department of Health
Solid and Hazardous Waste Branch
P.O. Box 3378
Honolulu, HI 96801-3378
(808) 586-4226

The proposed rules may be reviewed in person free of charge at the SHWB at the address and hours of operation noted above. In addition, the full text of the proposed rules is available for review and may be downloaded free of charge from the Department of Health website:

<http://www.hawaii.gov/health/about/proposed/sw/index.html>

Individuals who require special needs accommodations may request assistance in writing to John Valera using the contact information above at least seven (7) working days prior to the scheduled public hearing.

The Department of Health intends to make its decision on the proposed rules at the conclusion of hearings or as soon as practicable thereafter. However, in the event the Department of Health decides to take the decision on the proposed rules under advisement, it will announce the date when it intends to make its decision.

DEPARTMENT OF HEALTH
CHIYOME L. FUKINO, M.D., DIRECTOR